

**SENATE TRANSPORTATION COMMITTEE AMENDMENT NO. 1**

**AMENDMENT NO.** \_\_\_\_\_

\_\_\_\_\_  
**Signature of Sponsor**

**FILED**

Date \_\_\_\_\_

Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

**AMEND Senate Bill No. 0454**

**House Bill No. 0499**

by deleting all language following the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 55-10-403, is amended by adding the following as a new subsection:

( ) Notwithstanding the provisions of subsection (a), a person violating Tennessee Code Annotated, Section 55-10-401, who, at the time of such offense, had fifteen-hundredths of one percent (.15%), or more, by weight of alcohol in such person's blood shall be punished as follows:

(1) For the first offense such person shall be:

(A) fined not less than three hundred eight-five dollars (\$385) nor more than one thousand six hundred fifty dollars (\$1,650);

(B) confined in the county jail or workhouse for not less than ninety-six (96) hours nor more than eleven (11) months and twenty-nine (29) days; and

(C) prohibited from driving a motor vehicle in the state of Tennessee for a period of one (1) year.

(2) For the second offense such person shall be:

(A) fined not less than six hundred sixty dollars (\$660) nor more than three thousand eight hundred fifty dollars (\$3,850);

(B) confined in the county jail or workhouse for not less than sixty (60) days nor more than eleven (11) months and twenty-nine (29) days; and

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(C) prohibited from driving a vehicle in the state of Tennessee for a period of two (2) years.

(3) For the third or subsequent offense such person shall be:

(A) fined not less than one thousand two hundred dollars (\$1,210) nor more than eleven thousand dollars (\$11,000);

(B) confined in the county jail or workhouse for not less than one hundred sixty (160) days nor more than eleven (11) months and twenty-nine (29) days; and

(C) prohibited from driving a vehicle in the state of Tennessee for a period of not less than three (3) years nor more than ten (10) years.

The provisions of subsection (a)(1) relative to court-ordered inpatient alcohol and drug treatment for second offenders, subsection (a)(1) authorizing litter removal after service of the minimum sentence, and subsections (b)-(o) of this section shall also apply to a person sentenced under this subsection.

SECTION 2. This act shall take effect July 1, 1995, the public welfare requiring it.